

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK N KELLEY,
Plaintiff,
v.

VICTORIA ROBERTS,
Defendant.

Case No. C07-5288FDB

ORDER GRANTING
APPLICATION TO PROCEED *IN*
FORMA PAUPERIS AND
DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENTS

The Court, having reviewed plaintiff's application to proceed in forma pauperis, (Dkt. # 1), does hereby find and ORDER.

(1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. **As set forth below, an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of 20 percent of the preceding months income credited to his/her account until the full amount of the filing fee is satisfied.**

(2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the average monthly balance in the prisoner's account for the 6-month period immediately preceding the date

1 of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

2 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to
3 collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to
4 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below
5 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's
6 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee
7 described above. Finally, the monthly payments should be collected and forwarded to the court until the
8 entire filing fee (\$350.00) for this matter has been paid.

9 (3) The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy
10 of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion of the IFP
11 application to the attention of the inmate account manager (IFP account manager) at the Western State
12 Hospital.

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14 DATED this 15 day of June, 2007.

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16 /S/ J. Kelley Arnold
17 J. Kelley Arnold
18 United States Magistrate Judge
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